

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
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Fort Collins, Colorado 80527-2400



#9/Response  
TECHNOLOGY CENTER  
NOV 22 2002  
12/12/02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Inventor** Viatcheslav OSSIPOV et al. **Examiner:** Ida M. Soward  
**Serial No.:** 09/975,297 **Confirmation No.:** 1278  
**Filed:** October 12, 2001 **Group Art Unit:** 2822

**Title:** HIGH-CURRENT AVALANCHE-TUNNELING AND INJECTION-TUNNELING SEMICONDUCTOR-DIELECTRIC-METAL STABLE COLD EMITTER, WHICH EMULATES THE NEGATIVE ELECTRON AFFINITY MECHANISM OF EMISSION

**BOX NON-FEE AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

**AMENDMENT/REPLY UNDER 37 C.F.R. §1.116**

Sir:

In reply to the Final Office Action mailed August 22, 2002 (the "Final Office Action"), please consider the following remarks:

**PENDING CLAIMS**

By this reply, no claims have been canceled or added. Thus, claims 1-14 and 21-33 remain pending. Of these, claims 1, 21, 32, and 33 are independent.

**"09/974,808" NOT A PRIOR APPLICATION**

In the Final Office Action, it is stated that the current application does not comply with 37 CFR §1.60 for lacking necessary reference to a prior application (page 2 of the Office Action under the heading "Priority"). First, Applicants note that there is no 37 CFR §1.60. See *M.P.E.P., Eighth Edition, August 2001*. However, from the context of the Final Office